

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA        )  
  )  
Plaintiff,                         )  
  )  
v.                                    )      Case No. 19-cr-00035-04-HFS  
Demetrius A. Cornelius,         )  
  )  
  )  
Defendant.                         )

**ORDER**

Following a motion from defense counsel and hearing, the Defendant Demetrius A. Cornelius was remanded to the custody of the Attorney General for hospitalization and treatment pursuant to 18 U.S.C. 4241(d) to determine whether there is a substantial probability he will attain the capacity to permit the trial to proceed in the foreseeable future. (Docs. 127, 129, 181, 185). Defendant Cornelius was treated at the Metropolitan Correctional Center - Chicago in Mid-May for competency restoration.

On October 12, 2023, a forensic evaluation report was issued by Y. Abdel Psy. D. (Doc. 211 ). On October 18, 2023, a competency hearing was conducted,

and Magistrate Judge W. Brian Gaddy considered the forensic evaluation report prepared by Y. Abdel Psy. D. (Doc. 216). In that report, Dr. Abdel opined that that “defendant is not currently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings or to assist properly in his defense.” Id. The report was accompanied by a Certificate of Restoration of Competency to Stand Trial, dated October 12, 2023, which was signed by R. Maldonado, who is the warden for Federal Medical Center – Chicago. (Doc. 211-2). At the hearing, both Government and defense counsel confirmed receipt of the current psychiatric report and certificate of restoration and stipulated that the report could be considered as if Dr. Abdel appeared in person and testified under oath; neither party presented additional evidence or argument on defendant’s restoration or current competency to proceed. (Doc.216). Based on the record and uncontroverted evidence, and after conducting its own independent review of the record, Judge Gaddy determined that defendant’s competency to stand trial was restored and defendant was competent to understand the nature and consequence of the proceedings against him and to properly assist in his defense. (Doc. 216).

Counsel has not filed any objections, thus, the findings and conclusions in the Report and Recommendation (Doc. 216) is hereby ADOPTED by the undersigned.

*/s/ Howard F. Sachs*

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HOWARD F. SACHS  
UNITED STATES DISTRICT JUDGE

Dated: November 16, 2023  
Kansas City, Missouri